

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

§  
SHELLY D. PARHAM, Individually, and §  
VICTOR HINES, III, as Independent §  
Administrator of, and on behalf of, the §  
Estate of Marcus Johnson, §  
§  
Plaintiffs, §  
§  
v. § Civil Action No. 7:17-cv-00036-M-BP  
§  
CITY OF BURKBURNETT, TEXAS, et al., §  
§  
Defendants. §  
§

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and conducting a *de novo* review of those parts of the Findings and Conclusions to which objections have been made, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

Accordingly, Defendant McDonald's Motion to Dismiss [ECF No. 83] is **DENIED** and Defendant Leonard's Motion to Dismiss [ECF No. 83] is **GRANTED**, and Plaintiffs' claims against Defendant Leonard are **DISMISSED WITH PREJUDICE**.

**SO ORDERED.**

June 22, 2018.

  
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BARBARA M. G. LYNN  
CHIEF JUDGE